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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JAMES V. CAICO,

11 Petitioner,

No. CIV S-02-1363 DFL DAD P

12 vs.

13 D. L. RUNNELS, et al.,

14 Respondents.

ORDER

15 _____/
16 Petitioner is a state prisoner proceeding pro se with this application for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254. On August 7, 2002, respondents were directed to
18 file an answer to the petition and to include with the answer all transcripts and other documents
19 relevant to a determination of the issues presented in the application. On June 15, 2004,
20 respondents lodged the Reporter's Transcript on Appeal. Although respondents cite to the
21 Clerk's Transcript on Appeal (Clerk's Transcript) in their answer (see Answer at 7), they have
22 not lodged a copy with this court. The court finds that the Clerk's Transcript is necessary to a
23 determination of this action. Accordingly, pursuant to Rule 7 of the Rules Governing Section
24 2254 Cases in the United States District Courts, petitioner will be directed to lodge the Clerk's
25 Transcript within fourteen days.

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1 Good cause appearing, IT IS HEREBY ORDERED that, within fourteen days
2 from the date of this order petitioner shall lodge with this court the Clerk's Transcript on Appeal.

3 DATED: September 27, 2006.

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6 DALE A. DROZD
7 UNITED STATES MAGISTRATE JUDGE

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